

Getting
Started



Thank you for being an integral part of our Union!

Your Union Steward Handbook

UFCW 324

A Voice for Working California

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Connect with us!

Office: 8530 Stanton Ave., Buena Park, CA 90620

Phone: 714-995-4601

Health Benefits/Insurance Forms Ext. 3

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Credit Union Ext. 6

ufcw324.org
@ufcw324



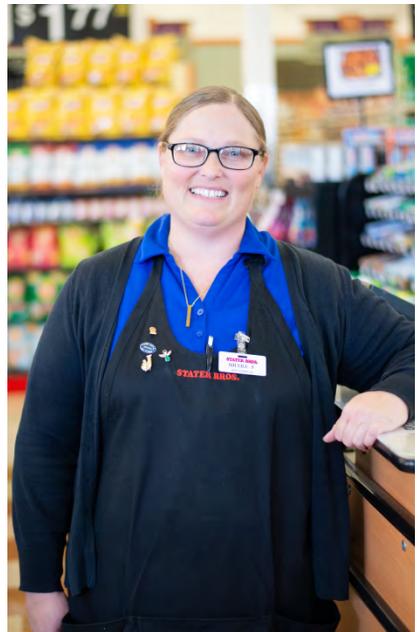
The Union Steward

The shop steward is the key to the success of a union

The shop steward is the key to the success of a union. Stewards not only act as the eyes and ears of the union, but also act as the heart; for the shop steward pumps in the much-needed information to the portions of the union body that needs it the most, our membership. Without the union shop steward, the membership can become weak and anemic. However, a good steward can empower membership, making it a force to be reckoned with.

The shop steward holds a special place in any union. At the worksite, the steward is the union reminding the membership that the union is more than just the people that work at the union hall; the union is all of us, from the drug store clerk and courtesy clerk to the meat cutter, pharmacist, Disney cast member and clerk at the optometrist office. The shop steward reminds co-workers that we all have a responsibility to make this union strong.

Shop stewards are our members' first line of defense, responsible for assisting Representatives in and for proactively ensuring worksite safety, mobilizing members for contract/political/organizing campaigns, orienting new members to the worksite and the union, and more.





A Steward is a Leader

Your success as a union steward depends on you and the skills you develop over time. It is determined by how much knowledge you have about the contract and other rules and regulations that affect the workplace. But it is also how you approach issues as they come up that determines whether you earn the respect of your fellow co-workers and management.

Most of what a union shop steward does can be considered informal activities. These might include speaking up in defense of the union, discussing the contract with new hires, or suggesting to other union members how the union might be able to help with a problem. Such activities keep the union involved in the workplace on a day-to-day basis. These activities act as a reminder that the union is more than a formal institution but rather something that all members are active participants in.

A Steward is a Health and Safety Watchdog

Some workplaces have Health and Safety Committees and it is always a good idea for a shop steward to participate in the committee. Stewards should utilize this as an opportunity to address longstanding health and safety issues that have been neglected by management.

Sometimes making these issues public will get them fixed.

A Steward is a Political Activist

This means that stewards need to be active in their community in the political process and in other progressive causes and coalitions that organize and promote those improvements.

Our stewards advance our political goals by mobilizing members for phone banks, rallies and get-out-the-vote activities. Sometimes our peers do not see the benefit of their union being involved in politics. Illustrating to them why this is necessary and how they benefit from it may allow them to see why they have a vested interest in the union's political drives.

A Steward is a Volunteer

Stewards need to do their part to increase our union market share. This means providing leads to the Union's Organizing Department and volunteering on campaigns. Stewards should also encourage their co-workers to volunteer on campaigns by conveying the fact that union workers have a vested interest in assisting the Union in organizing non-union workplaces. By increasing the number of unionized stores it improves the chances for a strong union contract.

A Steward is an Educator

The union steward is the teacher, for they are the ones who teach others the meaning of solidarity and that our strength is determined only by how much we stand up for one another. But this education comes not just through teaching, but through action.

Union members learn by sharing experiences, taking action, and discussing it afterward.

A Steward is an Example

A shop steward must always lead by example. You cannot ask a fellow worker to do something that you yourself are not willing to do. This means filing a grievance when necessary or standing up to defend yourself when the time comes. Likewise, a shop steward cannot ask management to follow the rules (i.e., the contract) if the steward is consistently known for breaking the rules as well. This means that under no condition should a shop steward work off the clock or knowingly violate the contract. It is your job to enforce the contract, not break it!



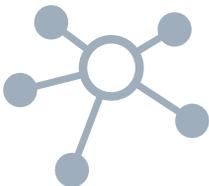
A shop steward must always lead by example.

Steward Responsibilities



The main responsibilities of a steward can be summed up by the Three C's: Connect, Communicate and Council.

Connect



Communicate



Council



Connect

Shop stewards sometimes neglect introducing themselves to new members or ensuring these new members know about the union. We do not want the first introduction to the union to come in the form of an impersonal letter, informing them they need to join the union and the dues amount they owe. Connecting is necessary so we can make sure new members don't get too behind in their dues.

We look towards our shop stewards to create a more positive image of the union and the first step is introducing yourself to new co-workers. Let them know that they now work in a union shop and that they need to join within the first 30-days of employment. Explain to them the benefits of being a union member and offer your assistance with joining or any other issues or questions they may have that are work related. Such a friendly introduction will go a long way in how new members view the union and this will also establish yourself as the person to go to in case a problem should arise.

As a shop steward you should take the time to introduce yourself to all your co-workers. Make sure they know that as the shop steward that you are there to help them, advise them and to keep them informed about their union.

You should also advise the store manager of your status and that the union has given you certain responsibilities as a shop steward. Inform management that you may be called upon by members to sit in during loss prevention interrogations. Let the manager know that you will also assist the representative in answering questions regarding the union and the union contract and that there will be times when you will address contract issues with management directly.



Communicate

Communication is imperative in building a strong union in the workplace. The union needs to know what is taking place on the shop floor; likewise, workers need to know what to do and where to go to get information if something comes up. A shop steward acts as the facilitator of information between the union and its' members. If there is a communication breakdown, the members will suffer and the union's strength will weaken. So it is important that the steward understands their role. They are the representative of communication.



Below are just a few tasks necessary to maintain good communication between the union and the members:

General Union Information. Direct members to union bulletin board, website, social media pages, and the union magazine. Make sure members know who their union representative is and how to get a hold of them. Ensure that members have access to information for the proper departments at the union offices (General Office, Health Benefits Department).

Union Bulletin Board. One of the main responsibilities of the shop steward is maintaining the bulletin board. Stewards should also remove any company information or documents posted on the union bulletin board. The board is the property of the UFCW and only the union representative and the stewards are allowed to post information on the board.

Communicate with Co-Workers. Take the time before or after a shift to walk around to greet your fellow co-workers. Find out if they have any questions regarding the union or the contract. This will illustrate to your co-workers that you take your position and their issues seriously. Communicate regularly with key union activists in your store and enlist their assistance in communicating with co-workers.

Communicate with Your Union Representative. Have regular conversations with your union representative on the current issues relevant to our members. Take this opportunity to ask questions and educate yourself about contract issues or any recent arbitration decisions that may impact you and your co-workers. Report any important changes to company policies and provide any documents that you believe are important.

Council

There are many levels of counseling that go into being a shop steward, both formal and informal. There are times when a worker is being interrogated by management or loss prevention and the worker needs to be advised on what to do. There are times when a conflict exists between management and workers or between workers themselves and it may take your involvement to resolve the issue. A co-worker may have a personal issue and looks toward you to give them advice. A steward needs to have the skills to deal with all issues that come at them.

Formal Counseling

A shop steward deals with issues of formal counseling when a member has a question, a grievance and/or is in trouble. The issue may be as simple as having



a question on how to join the union, go out on a leave of absence or general logistical questions.

The most critical form of formal counseling is when a member is being interrogated by management or loss prevention. We will examine a steward's role during an investigation more thoroughly later in the booklet, but a steward should preemptively advise other members of their rights for union representation during an interrogation and/or loss prevention interview. Strongly suggest that they do not proceed without either a union representative or shop steward present.

Informal Counseling: Steward as a Therapist

Stewards often report that the most frustrating part of their job is dealing with difficult workers. Some workers are never happy and look for things to gripe about, whether it is against the company or the union; others have issues at home that they allow to impact their performance at work; and there are those who see the steward at work and think the therapist is now in. Each scenario prompts the steward to be a bit of a shop floor psychologist, but if handled correctly a steward can come out the of situation with the upper hand.

Special Status of the Steward



Since a steward steps into the role of leadership on the shop floor, there are a great deal of responsibilities that are placed on their shoulders. In recognition of these responsibilities, the National Labor Relations Board has adopted special rules for stewards and other union representatives.

The Equality Rule

Under the National Labor Relations Act, when stewards are engaged in representational activities, they are considered equals with management. Vigorous advocacy and other behavior which would otherwise warrant discipline must be tolerated.

The equality rule allows a steward to speak forcefully, gesture, use salty language, challenge management's truthfulness, threaten legal action, or raise the possibility of a group protest. Vigorous advocacy may not always be necessary or even appropriate, but when it occurs an employer may not label it as insubordination and impose discipline.

When does the equality rule apply?

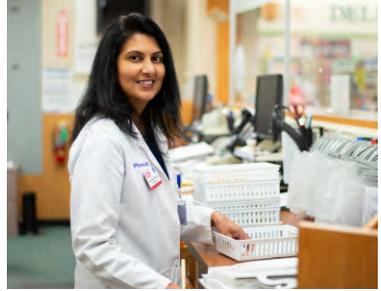
The equality rule applies when a steward acts in their representational capacity. It does not apply when a steward acts in their individual capacity.

You are acting in your representational capacity when you investigate a complaint, request information, present a grievance, or otherwise represent employees. You are acting in your individual capacity when you talk with a supervisor about your own work assignment, job performance, or compliance with work rules.

NLRB Charges

When a steward is harassed or punished for union activities, the union will usually be able to file a contract grievance as well as an NLRB charge. Whether the union should try to direct the case toward arbitration or toward an NLRB hearing depends on the nature of the penalty.

If a steward is suspended or discharged, the union will ordinarily want the matter arbitrated, because arbitration is faster than NLRB procedures and is less likely to be appealed to the courts. But when a steward is threatened, issued a warning, or given an unfavorable job assignment, it may make sense to have the case decided by the NLRB to avoid costly arbitration fees.



Weingarten and Steward Rights

The Supreme Court has ruled (NLRB v. Weingarten) that an employee has the right to Union representation during any employer interview which may result in discipline.

Guidelines

- 1** Workers must request that a Steward or Union Representative be present, if you do not request a Steward, you waive your Weingarten rights.
- 2** Workers must have a reasonable belief that discipline will result from the meeting.
- 3** Workers have the right to know the subject of the meeting.
- 4** Workers have the right to consult your Steward or Union Representative prior to the meeting.
- 5** Workers do not have the right to refuse to attend the meeting if your request for representation is denied.
- 6** Workers do not have the right to a Union Representative of your choice; representation may be based on the availability of the Steward or Representative.
- 7** Weingarten rights do not apply if the employer is simply informing a worker of some discipline which has already been decided – they only apply if a worker is being questioned.



Remember these are your minimum legal rights under Weingarten; you may have additional rights under your contract. If you ever have questions, contact your Union representative for assistance.

Disciplinary announcement. When a supervisor calls an employee to the office to announce a warning or other discipline, is this an investigatory interview? The NLRB says no, because the supervisor is merely informing the employee of an already-made decision. Unless the supervisor asks questions about the employee's conduct, the meeting is not investigatory.

Employers sometimes claim the only role of a Steward at Weingarten meeting is to observe the discussion. However, we believe the law gives Stewards a much more active role in these meetings:

- 1 When you arrive at the meeting, ask the supervisor the subject matter of the interview, i.e., the type of misconduct for which discipline is being considered (theft, lateness, drugs, etc.). The supervisor must provide this information.
- 2 You have the right to meet with the worker before the questioning begins. Take the worker aside for a private pre-interview conference. Let the worker know that they should answer all questions truthfully, however, advise them to keep their answers brief and not to offer any additional information. Tell them not to answer a question they do not fully understand until it is clarified. Let the worker know that anything they say in that meeting may be held against them and tell them to keep cool. Do not admit guilt!
- 3 If the member is asked a question, they don't understand, ask the supervisor to clarify the question.
- 4 After a question is asked, you can give advice on how to answer. Ask for a break or to caucus if necessary.
- 5 When the questioning ends, you can provide additional information to the supervisor; however, it is often better not to volunteer information. Remember, anything you say may be used against the worker also.

Warning Signs for Stewards

Stewards need to do more than simply respond to problems. Stewards should be able to anticipate where and when problems may be brewing. Stewards also must be prepared to constantly reassess how they are doing. While it's impossible to come up with a complete list of all the things you need to watch out for, here are a few of the big ones. In brief, you're in trouble when...

Members Don't Come to You with Their Problems

Stewards sometimes make the mistake of wanting to deal only with legitimate grievances. Yet it is often through helping members on seemingly minor issues that you build credibility and respect that is invaluable in solving more serious problems.

Members Seek Help From Other Stewards

This may be happening because you haven't been making yourself available, but it sometimes occurs when stewards are new and inexperienced. To get more experience you should take advantage of whatever steward

training programs the union offers, and you should regularly seek the advice of more experienced stewards.

Management Refuses to Meet with You

You have to build credibility with management, not just the members. This is not to suggest that management will always like you, but through your integrity, persistence and hard work, management will realize that you are a force to be reckoned with.

You Miss Union Meetings

You need to be an active union member and up to date in what is happening in the rest of the local. You also need to attend meetings to make sure that the interest and concerns of members that you represent are heard and addressed by the local union.

Thank You for all you do!



Thank you stewards for all that you do to move the labor movement forward.
With your help, we are building a stronger union that works together to
uplift workers and their families!



Andrea Zinder
President



Matt Bell
Secretary-Treasurer

Thank you!

We Are
The Union!

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